IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO.124 OF 2006

Mr. M.H. Deshmukh .. Petitioner
v/s.
The State of Maharashtra and others .. Respondents

Mr. A.Y. Sakhare, senior counsel with Mr. R.S. Datar i/by M/s. R & D Legal for the petitioner.

Mr. P.P. Kakade, Assistant Government Pleader for the respondent No.1.

Mr. P.S. Dani for the respondent No.2.
Mr. B.D. Joshi for the respondent No.3.
Mr. A.G. Damle for the respondent No.4.
Mr. K.S.Dewal for the respondent No.5.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 4TH OCTOBER, 2006.

P.C.

We heard the senior counsel for the petitioner.

2. The following prayers have been made in the writ petition (PIL):

> "(a) that this Hon'ble Court be pleased to issue a Writ of Mandamus or a writ in the nature of Mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India thereby:-

(i) directing Respondent No.1 to hear and decide the objections/suggestions raised in pursuance of Proclamation dated 14th September, 2006 (Exhibit-"B" hereto); within 30 days from the date of the said notification;

(ii) to issue a Notification thereby declaring the constitution of the aforesaid larger urban area and the Municipal Corporation of City of Vasai- Virar as contemplated by the said Proclamation (Exhibit-"B" hereto) and the said Notification (Exhibit-"A" hereto) immediately after expiry of the period of 30 days from 14th September, 2006 i.e. the date of publication of the said Proclamation (Exhibit-"B" hereto);

(iii) directing Respondent No.1 not to grant time period up to 16th November, 2006 for raising objections/ suggestions as contemplated by Notification dated 14th September, 2006 (Exhibit-"A" hereto) and to issue appropriate notification/ corrigendum in that regard."

3. We are afraid, no writ in the nature of mandamus or such writ or order can be issued by the court as prayed for by the petitioner.

4. Writ petition is misconceived and devoid of any substance. It is dismissed accordingly.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)